

REMARKS

In the Office Action, the Examiner indicated that claims 1 through 21 are pending in the application. The Examiner objected to claims 3, 10, and 17 and rejected claims 1, 2, 4-9, 11-16, and 18-21.

Allowable Subject Matter

On page 2 of the Office Action, the Examiner indicated that claims 3, 10, and 17 were objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for the indication of allowable subject matter; however, at this time applicants have chosen to seek allowance of the independent claims.

Claim Rejections, 35 U.S.C. §102

On pages 3-4 of the Office Action, the Examiner rejected claims 1, 4-8, 11-15, and 18-21 under 35 U.S.C. §102(a and e) as being anticipated by U.S. Patent No. 6,041,360 to Himmel et al. ("Himmel").

The Present Invention

The present invention provides a method for automatically updating bookmarks stored by a web browser when the URL with which they are linked, whether it be a dynamic URL or a static URL, is invalid and a redirect to an alternate URL is specified. In accordance with the

present invention, a web page author places redirect markups in the HTML file associated with a particular static or dynamic URL. When this redirect markup in the HTML file is received by the web browser, the user of the browser is given the option of allowing the existing bookmarked original URL to be replaced with the redirect URL. Further, if desired, the bookmark, now containing the redirect URL, may also be modified to include the previously-bookmarked original URL, so that, if desired, the user of the browser can subsequently try to reach the original URL in the event the redirect URL is no longer functional.

U.S. Patent No. 6,041,360 to Himmel et al.

U.S. Patent No. 6,041,360 to Himmel et al. ("Himmel") teaches access to the internet using dynamic bookmarks. A first bookmark is stored in a browser in a computer system, the first bookmark referencing a web page at a URL. A dynamic attribute for this first bookmark is utilized to keep it updated. When a change is detected in the web page data incorporated in the first bookmark, it is automatically updated by virtue of its dynamic attribute to reflect the change in the web page data. The invention of Himmel et al. is limited to updating a bookmark only with respect to a dynamic URL.

The Cited Prior Art Does Not Anticipate the Claimed Invention

The MPEP and case law provide the following definition of anticipation for the purposes of 35 U.S.C. §102:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

MPEP §2131 citing *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)

The Examiner Has Not Established a *prima facie* Case of Anticipation

As noted above, the present claimed invention includes a method, system, and computer program product whereby when a URL containing a redirect is read by a web browser, the original URL stored in a bookmark storage area of the browser is replaced with the redirect URL. More importantly, as is now claimed in each of the independent claims, this replacing step or replacing process replaces the original URL even if it is a static URL.

The ability to replace static URLs is not taught or suggested by Himmel. Himmel very specifically is limited to replacing dynamic URLs, as set forth in the portion of Himmel cited by the Examiner. This limits the functionality of the Himmel invention. Throughout the specification of Himmel, a “dynamic bookmark” refers to a set of bookmarks that is maintained as a collection, subscribed to by clients, and downloaded as a collection to a browser, through a pull operation by a client, a notification from a server followed by a pull from a client, or a push from a server to a client. By contrast, the present invention does not operate upon centrally-maintained collections of bookmarks that were specifically authored as such by website authors. Rather, the present invention operates upon individual bookmarks, interfacing seamlessly with the existing and familiar browser bookmark mechanism without introducing a new paradigm of sets of bookmarks or the notion of a new type of web authoring. The present invention takes advantage of current best practices of website authors, which generally utilize an http redirect or refresh command to indicate that web content has been moved or that a formerly valid URL is

stale. The present invention automatically reads and processes such information to alleviate the chore of updating the bookmark manually. Himmel also allows an individual bookmark to be automatically updated, but only if it has Himmel's "dynamic" attribute.

The present invention provides significantly more functionality to a user, since both static and dynamic URLs can be replaced in a browser bookmark storage area. Since this aspect of the present invention is specifically claimed in each of the independent claims, and since Himmel neither teaches nor suggests this feature, each of the independent claims, and all claims depending therefrom, are in condition for allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 4-8, 11-15, and 18-21 under 35 U.S.C. §102.

Rejection of Claims 2, 9, and 16 under 35 U.S.C. §103(a)

On pages 5 and 6 of the Office Action, the Examiner rejected claims 2, 9, and 16 under 35 U.S.C. §103(a) as being unpatentable over Himmel.

The Examiner has not Established a *prima facie* Case of Obviousness

As set forth in the MPEP:

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skilled in the art, to modify the reference or to combine reference teachings.

MPEP 2143

As noted above, Himmel neither teaches nor suggests the process, method and structure for replacing both static and dynamic URLs, as is claimed in the present invention. Without such a suggestion, Himmel cannot be relied upon to reject the claims under 35 U.S.C. § 103.


With respect to claim 2, the present invention introduces a semantic change in a meaning of a "history item". Instead of a single item, a history item, according to the present invention, is a multi-valued item with a time stamp and a flag indicating how the history item was obtained (i.e., through normal web navigation, or through automatic bookmark updating). Without the present invention, when a browser visits a given URL, that visit and all of its associated information (time stamp, web page name, etc.) replace any prior version of the same information; thus, in the prior art it is not possible to visit a prior version of a web page that is moved by navigating through the browser history, because all prior versions are overwritten by information about the last successful visit. Claim 2 introduces the concept of multiple entries in a history file for the same URL, in order to preserve the history information about a previous visit, in case the automatic update proves incorrect. Thus, using the browser history as a source of backup information to restore a previous URL in case an automatically updated bookmark proves to be incorrect is not obvious; there is no teaching or suggestion in any of the art cited by the Examiner to use the browser history for this claimed function. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 2, 9, and 16 under 35 U.S.C. §103.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 19-5425.

Respectfully submitted

August 5, 2004
Date


Mark D. Simpson, Esquire
Registration No. 32,942

SYNNESTVEDT & LECHNER LLP
2600 ARAMARK Tower
1101 Market Street
Philadelphia, PA 19107

Telephone: (215) 923-4466
Facsimile: (215) 923-2189